

Honorable Marsha J. Pechman

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON

MARY N MUKASA, <i>et al.</i> ,)	Civil Case No. 2:25-cv-00079-MJP
)	
Plaintiffs,)	STIPULATED MOTION AND
)	PROPOSED BRIEFING
-v-)	SCHEDULE SUBSTITUTING DKT.
)	7 FILED 03/28/2025
MARCO RUBIO, <i>et al.</i> ,)	Note for Motion Consideration:
)	April 21, 2025
Defendants)	
.)	

The parties, through counsel of record, hereby present this Court with a proposed schedule for briefing Plaintiff's Motion for Summary Judgment, and Defendants' Cross-Motion to Dismiss. Plaintiffs brought forth the matter herein pursuant to the Administrative Procedure Act and the Mandamus Act, requesting this Court to compel Defendants to complete the administrative appeal process on the DS260 Immigrant Visa Application. The parties disagree as to whether the Court is able to review this decision on Consular Non-Reviewability grounds. Furthermore, Plaintiff asserts that Defendants had a duty to forward the case to the USDOS advisory units for review and decision. Defendants' position is that no such duty exists. Plaintiffs intend to file an amended complaint by April 23, 2025, 90 days from summons service. Defendants reserve their rights to assert additional defenses after reviewing the amended complaint.

The parties request permission, pursuant to LCR 7(f), to file overlength briefs of up to 11,200 words with regard to the Motion to Dismiss or the Motion(s) for Summary Judgment filing. Furthermore, the parties seek to be granted permission to reserve the right to amend the

schedule referenced herein prior to the filing of either the Motion for Summary Judgment or the Cross-Motion to Dismiss. The parties propose the following briefing schedule:

<u>Filing</u>	<u>Deadline</u>
Plaintiffs' Amended Complaint	May 7, 2025
Plaintiffs' Motion for Summary Judgment	May 14, 2025
Defendants' Cross-Motion to Dismiss and combined Response to Plaintiffs' Motion for Summary Judgment	June 04, 2025
Plaintiffs' Reply in Support of the Motion for Summary Judgment and combined Response to Defendants' Cross-Motion to Dismiss	June 18, 2025
Defendants' Reply in Support of the Cross-Motion to Dismiss	June 25, 2025

The parties request that the Court enter the above-proposed briefing schedule, permission for overlength briefs, and the right to amend the schedule.

Dated: March 28, 2025

Respectfully submitted,

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10 *I certify that this memorandum contains 301 words, in compliance with the Local Civil*
11 *Rules.*
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[PROPOSED] ORDER

The parties having stipulated and agreed, it is hereby so ORDERED. Plaintiffs shall file the amended complaint by May 7, 2025. The parties shall submit their cross-motions pursuant to the following schedule:

<u>Filing</u>	<u>Deadline</u>
Plaintiffs' Amended Complaint	May 7, 2025
Plaintiffs' Motion for Summary Judgment	May 14, 2025
Defendants' Cross-Motion to Dismiss and combined Response to Plaintiffs' Motion for Summary Judgment	June 4, 2025
Plaintiffs' Reply in Support of the Motion for Summary Judgment and combined Response to Defendants' Cross-Motion to Dismiss	June 18, 2025
Defendants' Reply in Support of the Cross-Motion to Dismiss	June 25, 2025

The parties are granted permission, pursuant to LCR 7(f), to file overlength briefs of up to 11,200 words with regard to the Motion to Dismiss or the Motion for Summary Judgment filing. Should the Parties wish to change the briefing schedule, they must move for such relief from the Court and demonstrate good cause.

DATED this 28 day of April, 2025.



MARSHA J. PECHMAN
United States District Judge